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# Declaration of Independence,

OR NOTES ON LORD MAHON'S HISTORY OF  
THE AMERICAN DECLARATION  
OF INDEPENDENCE.

BY PETER FORCE, ESQ.

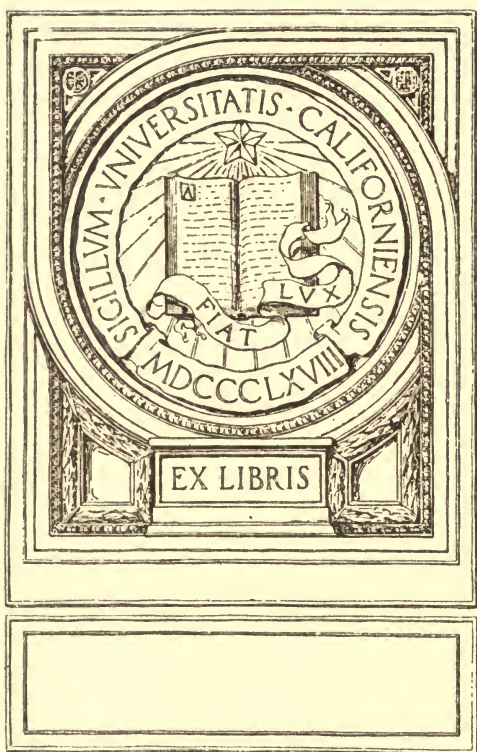
AUTHOR OF "THE AMERICAN ARCHIVES, OR DOCUMENTARY HISTORY  
OF THE UNITED STATES," ETC. ETC.

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LONDON:

G. WILLIS, GREAT PIAZZA, COVENT GARDEN.

1855.







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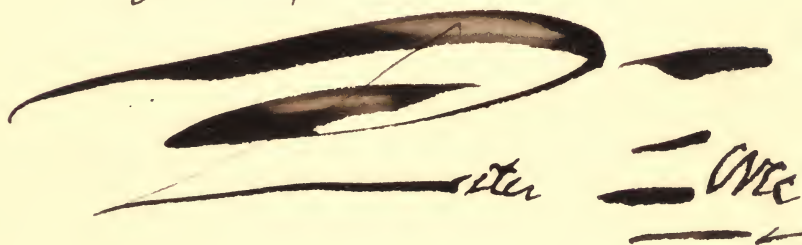
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TO THE  
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## NOTES ON THE DECLARATION OF INDEPENDENCE.

THE English Government, it is said, engaged the services of SCOTT, the novelist, to write the Life of Napoleon. When it was thought that their "own story" of the American War "would bear telling, and ought to be told," SOUTHEY, the poet, was applied to to tell it. His other engagements compelled him to decline "the proposal made to him, so much to his honour, by the British Government, to undertake a "History of the American War;" but he suggested the work to LORD MAHON as a fine subject, and which, treated as he would treat it, "would vindicate the honour of this country, (England,) at the same time that it would render full justice to the opposite cause."

The letter of MR. SOUTHEY, making this suggestion to LORD MAHON, is dated August 13, 1832. Twenty-two years later the "story" was told by his Lordship. It is not attempted here to examine how far his vindication "vindicates the honour of England," but to show that he has not "rendered full justice to the opposite cause;" and that in any effort he may have

made to render such justice he has been signally unsuccessful. To enable the readers of his book to determine for themselves what just ground there may be for this suggestion, the following notes are presented for the consideration of those who have not at hand the means of testing the trustworthiness of his statements, and who, pleased with the air of candour which he appears at all times to wear, may be induced to give a credit to his assertions to which they are not entitled, and be led into his views of the matters he presents before they suspect any attempt to mislead them. To smooth the way for more effectually alluring the American reader to follow him in the path he has marked out for himself, Lord Mahon has affected a great veneration for the character of GENERAL WASHINGTON. It will be remembered that the REV. JACOB DUCHÉ also professed a great veneration for the character of General Washington in his letter of the 8th of October, 1777, where, possibly to prove the sincerity of his professed veneration, he describes the associates of the commander-in-chief and the Congress whose commission he bore. The latter he speaks of as "the dregs of a Congress," "most of them elected by a little low faction," "their dignity and consequence gone." As to the army, he asks, "have they not frequently abandoned even yourself in the hour of extremity?" And of the officers he says, "many have been taken from the lowest of the people, without principle and without courage." He makes Washington the leader and the chief, under the dregs of a Congress, of men without principle, and an army of cowards. This was Mr. Duché's veneration for Washington.

With every disposition to make the amplest allow-

ance for mistakes arising from a want of correct information, mistakes to which the most careful and the most accurate are sometimes liable; nay, more, to make a liberal allowance for his national prejudices and his over anxious desire to "vindicate the honour" of his country; yet any pretence Lord Mahon may make of having rendered "full justice to the opposite "cause," cannot, it is believed, be sustained as honest on any plea of accident or of ignorance.

It is not proposed to present a review of Lord Mahon's History of the American War, nor in a spirit of cavil or fault-finding, to go through his volumes, hunting for something to find fault with. On the contrary, the notes are confined to the pages he has appropriated to his History of the American Declaration of Independence (pages 92-98, vol. 6, of his third edition, revised).

A careful examination of these pages, few as they are, may be enough to show with sufficient distinctness in what spirit Lord Mahon's History is written, and how far it may be received as an impartial and truthful record.

If the reader meets in these Notes with imputations of "omissions," "corrections," "additions," "improvements," "embellishments," "substitutions," "motives," "manufacture," "manufactory," and the like, he must understand that they are not used here for the first time. They are from Lord Mahon's vocabulary, selected and used by him to express his disapprobation of all "tampering with the truth of history."

## I.

Lord Mahon (page 92, vol. 6, 3rd edition) says :  
 “ Here are the words at the same period of another  
 “ popular leader : ‘ Notwithstanding the Act of Par-  
 “ liament for seizing our property, there is a strange  
 “ reluctance in the minds of many to cut the knot  
 “ which ties us to Great Britain.’ ”

Lord Mahon is very emphatic. He declares “ *here are the words* ”—that is, the very words, precisely what was written, and which convey exactly the meaning of Colonel Reed, in his letter to General Washington, dated March 3, 1776. Now, let us see what Colonel Reed did say. Here are his words :—

Notwithstanding the Act of Parliament for seizing our property, *and a thousand other proofs of a bitter and irreconcilable spirit*, there is a strange reluctance in the minds of many to cut the knot that ties us to Great Britain, particularly in this colony, and to the southward. Though no man of understanding expects any good from the commissioners, (Lord and Sir William Howe,) yet they are for waiting to hear their proposals before they declare off.

These are the words of an ardent patriot, giving vent to his honest indignation at the strange reluctance of many to cut the knot, at once, notwithstanding the seizing of their property by Act of Parliament, and a thousand other proofs of a bitter and irreconcilable spirit. But their reluctance did not proceed from a defection to the general cause of the colonies. They did not know what the commissioners had to offer. Though no man of understanding expected any good from them, many were waiting to hear their proposals before they declared off.

Lord Mahon, it will be seen, has suppressed the



most material part of the sentence he has taken from the letter of Colonel Reed—the “thousand other” “proofs of a bitter and irreconcilable spirit” on the part of England towards the Colonies. What Colonel Reed said of the “bitter and irreconcilable spirit” of England, may have interfered with Lord Mahon’s “vindication;” so he suppressed it. If this were a single instance of what must unquestionably be considered an act of bad faith in an historian, the suppression might and ought to be attributed to accident; but it is one of many.

Some of the “thousand other proofs” alluded to by Colonel Reed were enumerated, a few days later, (on the 23rd of the same month,) in the Declaration of Congress in justification of their resolution of the 19th authorizing the fitting out of private armed vessels.

## II.

But it was not enough for Lord Mahon that so many in nine of the Colonies were opposed to a separation from England: he considered it due to the truth of history to place on record the wild misapprehensions current among many of those who were in favour of a separation, and their profound ignorance in regard to the independence they were talking about. He goes on to say:—

“Besides such total difference of views, there were  
 “also, as in most popular changes, wild misapprehen-  
 “sions current. One gentleman, a correspondent of  
 “Washington, states that he heard this question asked  
 “and answered, as follows: ‘What do you mean by  
 “independence?’ ‘We mean a form of Government  
 “to make us independent of the rich, and every man  
 “able to do as he pleases.’” (Pages 92-3.)

Notwithstanding this positive assertion of what the "correspondent of Washington states," and the honest-looking array of quotation marks, and "this question asked and answered," it must be said that Lord Mahon has not truly quoted Washington's correspondent. Mr. Landon Carter, of Virginia, is the correspondent referred to. In a letter dated May 9, 1776, the passage occurs, out of which Lord Mahon has manufactured what he says was stated in that letter. The statement of Mr. Carter is as follows:—

I need only tell you of one definition that I heard of independency: it was expected to be a form of Government that, by being independent of the rich men, every man then would be able to do as he pleased.

Mr. Carter says nothing about the "question asked and answered." This, and the "what do you mean," and the "we mean," and the "us," are merely the artistic embellishments of Lord Mahon, to give better effect to his picture of the "wild misapprehensions current," which, to make it at all available, it was necessary to alter, to bring within the rule which Lord Mahon says he adopted—"to neglect no tale or incident, *however trifling* it may appear, that can best illustrate the feelings which produced or the circumstances which attended any great crisis in human affairs."

### III.

Lord Mahon having thus established the gross ignorance of many of the Americans in regard to the meaning of "independence," and as some slight glimmerings of light were afterwards manifested in their action, he found it necessary to account for "the day-breaking and sun-rising" of their knowledge.

“ To inform and to animate the people on this subject, several writers of pamphlets now appeared. The chief among these is Thomas Paine.” (P. 93.)

Lord Mahon makes Thomas Paine the chief among the writers of pamphlets in favour of independence ; and then, to show by inference what *all* the writers were, Paine being “ the chief,” his lordship says of him that “ he had tried various trades and walks of life, as sailor, excise-man, school-master, and poet, “ but at last he settled down a democratic agitator, “ rightly conceiving that to brawl and to *scribble*, “ must be at all times easier than to work.” With such a chief what must have been the subordinates ? They could only be brawlers and scribblers of a lower grade. These, and such as these, according to Lord Mahon, were they who came forward “ to inform and “ to animate the people on this subject,” that is, of independence.

But, besides these “ several writers of pamphlets,” of whom Thomas Paine was the chief, there were several other writers of pamphlets and in newspapers, not referred to by Lord Mahon, who came forward “ to inform and to animate the people ” *against* independence, which was a question that had two sides, and both were discussed before the people. Hear what John Adams says of the result of these discussions. In a letter dated July 3, 1776, speaking of the resolution of independence, adopted the day before, (July 2,) he says :—

Time has been given for the whole people maturely to consider the great question of independence, and to ripen their judgment, dissipate their fears, and allure their hopes, by discussing it in newspapers and pamphlets, by debating it in assemblies, conventions, committees of safety and inspection, in town and county meetings, as well as private conversations,

so that the whole people have now adopted it as their own act. This will cement the Union, and avoid those heats, and perhaps convulsions, which might have been occasioned by such a declaration six months ago.

This is the way the people were informed and animated. Paine's "Common Sense," there can be no question, had its full share in arousing the people; and this, it may be, Lord Mahon felt when he wrote, "Paine, I regret to own it, was a native of England;" for he says it "produced a strong effect in all the Colonies, and drew forth warm praises from all the popular leaders."

#### IV.

In addition to the pamphlets, it appears that on some occasions the "popular leaders" used not only "harangues to the soldiers," but likewise "sermons to the people." Such "harangues" and "sermons" were by no means uncommon. But Lord Mahon will not say that these "harangues" and "sermons" were American inventions; or that such "harangues" and such "sermons" were unknown to "popular leaders" in the country whose honour his history was written to vindicate. He says:—

It was not solely upon pamphlets that these popular leaders relied. On some occasions use was also made not only of harangues to the soldiers, but likewise of sermons to the people. In both, so far as we can gather, historical parallels were among the favourite figures of speech.

Thus, for instance, at Philadelphia, we find a preacher comparing the people of Israel with the people of America, and King Pharaoh with King George. Thus, in Massachusetts, *a few months before*, a British officer going out from Boston, in the *disguise* of a countryman, saw a company of militia exercised, and listened to the speech of their commander—'very eloquent, quoting Cæsar and Pompey, Brigadiers Putnam and Ward.' (Pp. 93-4.)



The two incidents brought together here were rather subjects for the serious reflections of the historian than the levity of a jester. In time they were far apart, and in the interval events had occurred that produced an entire change in the determination of the American people. The "harangue to the soldiers" was in February, 1775, when conciliation was yet practicable; the "sermon to the people" was in May, 1776, fifteen months later, when the time for separation had come. Yet, while examining the two papers in which are found the matters he refers to, though in one is foreshadowed the beginning of a war between the Crown and the Colonies, and in the other the separation of the Colonies from the Crown is announced, Lord Mahon could find nothing worthy his notice but the preacher's comparison in one; in the other nothing but a sneer.

In the petition of the Congress to the King, of October 26, 1774, in which they enumerate the injuries done to the Colonies, they say: "We present this petition only to obtain redress of grievances and relief from fears and jealousies, occasioned by the system of statutes and regulations adopted since the last war." What answer was given to this petition? Though earnest in its appeal and most respectful to the king, no answer was returned to the people who felt themselves so deeply injured. The answer was sent to the Royal Governors in the Colonies.

On the 15th of December, 1774, General Gage, in a letter to Lord Dartmouth, said: "Your lordship's idea of disarming certain Provinces would doubtless be consistent with prudence and safety, but it neither is nor has been practicable without having recourse to force and being masters of the country." Two months later, he had received orders to carry Lord Dartmouth's idea into effect.

Ensign D'Berniere, of the 10th regiment, in a report he made of a secret expedition under the order of General Gage, says :—

The latter end (the 22nd) of February, 1775, Captain Brown, of the 52nd regiment, and myself received orders to go through the counties of Suffolk and Worcester and sketch the roads as we went, for the information of General Gage, as he expected to have occasion to march troops through that country the ensuing spring.

They set out from Boston on Thursday, February 23rd, disguised like countrymen in brown clothes, with reddish handkerchiefs round their necks, and returned to Boston on the 30th, with all their notes, plans, and sketches, in safety. On their way back they reached Framingham on the evening of Monday, the 27th, and Ensign D'Berniere thus describes what occurred there :

We arrived at Buckminster's tavern about six o'clock that evening. A company of militia were exercising near the house, and in an hour after they came and performed their feats before the windows of the room we were in. We did not feel very easy at seeing such a number so very near us; however, they did not know who we were, and took little notice of us.

After they had done their exercise one of their commanders spoke *a very eloquent speech*, recommending patience, and coolness, and bravery (*which indeed they much wanted*); particularly told them they would always conquer if they did not break, and recommended them to charge us coolly and wait for our fire, and every thing would succeed with them; *quoted Cæsar and Pompey, Brigadiers Putnam and Ward, and all such great men*; put them in mind of Cape Breton and all the battles they had gained for his Majesty in the last war; and observed that the regulars must have been ruined but for them.

In this movement of General Gage to secure the most certain information of the country bordering on

Boston, “ as he expected to have occasion to march troops through that country the ensuing spring,” is seen the answer of the king to the petition of the Congress. That answer was soon after written in blood at Lexington. But Lord Mahon could see nothing of all this.

The remark may be repeated, that at this time, February 1775, conciliation was yet practicable. The Colonies then only sought for redress from grievances imposed upon them within the last twelve years. Had this been conceded there would have been an end to all controversy. But at the time referred to by Lord Mahon, when he says, “ thus, for instance, at Philadelphia, we find a preacher comparing the people of “ Israel with the people of America, and King Pharaoh “ with King George,” the Colonies were colonies in name only, the oaths to the king having been abolished in each, and every step towards independence but the last had been taken. Lord Mahon found the preacher’s comparison in a letter from John Adams, dated May 17, 1776. Mr. Adams there said :—

I have this morning heard Mr. Duffield upon the Signs of the Times. He ran a parallel between the case of Israel and that of America, and between the conduct of Pharaoh and that of George. Jealousy that the Israelites would throw off the Government of Egypt made him issue his edict that the midwives should cast the children into the river, and the other edict that the men should make a large revenue of bricks without straw. He concluded that the course of events indicated strongly the design of Providence that we should be separated from Great Britain.

This historical parallel, as Lord Mahon calls it, was by no means deficient in appropriateness, which would have been very perceptible even to him had he, like the Americans, felt the weight of the bondage of the Israelites, who were required to labour for the Egypt-

ians. But Mr. Adams, in the same letter, (though Lord Mahon found in it only his “historical parallel,”) goes on to say :—

Great Britain has at last driven America to the last step—a complete separation from her ; a total, absolute independence, not only of her Parliament, but of her Crown, for such is the amount of the resolve of the 15th. Confederation among ourselves or alliances with foreign nations are not necessary to a perfect separation from Britain ; that is effected by extinguishing all authority under the Crown, Parliament, and nation, as the resolution for instituting Governments has done, to all intents and purposes.

Mr. Adams wrote the truth. The separation was thus complete in fact, though not in form. The Congress could not have gone back after the resolution of the 15th was adopted ; they could have been driven back only by the fleets and armies of the enemy.

But the other allusion in the report of the spies (from which he transcribes and improves the witty remark “very eloquent,” &c.) to *the want of bravery* in the American soldiers should not have been omitted by Lord Mahon. “The cowardice of the American “Rebels” was a common by-word in England. The belief or a pretended belief in it there was universal—with the people, the army, the navy, the Parliament, the Ministry, and the King himself. This belief, absurd as it was, as it had a vast influence in all the proceedings against the Americans, constitutes an important element in a history of the causes and progress of the Revolution. Lord Mahon may have been ashamed of the vainglorious boasting by the English of their superior bravery over the Americans ; yet as this boasting spirit did exist, and as it did precipitate and prolong the war, it was the duty of the historian



to state the fact, and give to it its due weight among the causes that produced the separation between the two countries.

In the following, which no one at this day would recognise as an account of the battle at Princeton, in January, 1777, is seen the popular English opinion of the “want of bravery” in the Americans. It will be found in the London Morning Chronicle of March 4, 1777. In that battle, according to the returns to General Howe, besides the killed and wounded of the English troops engaged in it, *one thousand* were “missing.”

*New York, January 13, 1777.*

Several skirmishes between the King's troops and the rebels have lately happened in the Jerseys. But the most distinguished rencounter occurred on the 3rd instant, near Princeton.

The 17th regiment, consisting of less than three hundred men, fell in with the rebel army of very superior force, whom they attacked with all the ardour and intrepidity of Britons. They received a firer from behind a fence, over which they immediately leaped upon their enemies, who presently turned to the right-about with such precipitation as to leave their very cannon behind them. The soldiers immediately turned their cannon, and fired at least twenty rounds upon their rear; and had they been assisted with another regiment or two, the rebels would have found it rather difficult to make good their retreat.

This has been one of the most splendid actions in the whole campaign, and has given a convincing proof that British valour has not declined from its ancient glory. Of Colonel Mawhood, their gallant commander, and of his conduct in the affair, too many encomiums cannot be said. The loss was about twenty killed and eighty wounded of the troops. Of the rebels above four hundred were killed and wounded. Among the slain were eleven officers.

Mr. Mercer, (one of the wounded rebel officers, since dead,) when he was taken up by our people, asked how many the

numbers were who had thus attacked him, and, upon being told, he cried out with astonishment, “ My God, is it possible ? ” “ I have often heard of British courage, but never could have “ imagined to find such an instance as this.”

Another account says, that the 17th regiment, just before they charged the rebels, deliberately pulled off their knapsacks and gave three cheers, then broke through the rebels, faced about, attacked, and broke through them a second time. Colonel Mawhood then said it would be prudent, as they were so few, to retire, upon which the men, one and all, cried out, “ No, no ; let us attack them again.” And it was with great difficulty their Colonel could induce them to retreat ; which at length they performed in the utmost order.

\* The absurdities in these statements are so monstrous that nothing need be said of them, except that the spirit of this braggart claim to superior bravery for the English, and the belief in England in the justice of that claim when extended to every thing else, was the spirit that prevailed in the British Councils—that brought on the war.

Though out of place here (as it belongs to another point for examination in Lord Mahon’s History), it may be well to contrast the graphic and spirit-stirring descriptions of “ the most distinguished rencounter” near Princeton with the subdued gravity and brevity of General Howe’s official reports of the battles of Trenton and Princeton, in his letters to Lord George Germaine, dated at New York, December 29, 1776, and January 5, 1777.

In his letter of the 29th of December he gives the battle of Trenton. After saying Colonel Rahl, with two regiments, had formed in front of the village, he adds :—

The rebels, without advancing, cannonaded them in this situation, and Colonel Rahl moved forward to attack them

with the regiments of Lossberg and Rahl; in which attack Colonel Rahl was wounded, and the regiments were made prisoners. The rebels then advanced to the regiment of Knyphausen, and also made that corps prisoners."

In his letter of the 5th of January, 1777, he gives the battle of Princeton, described above as "one of the most splendid actions of the whole campaign :"—

Lieutenant-colonel Mawhood, not being apprehensive of the enemy's strength, attacked and beat back the troops that first presented themselves to him; but, finding them at length very superior to him in numbers, he pushed forward with the 17th regiment and joined Brigadier-general Leslie. The 55th regiment retired by the way of Hillsborough to Brunswick, and the enemy proceeding immediately to Prince Town, the 45th regiment also retired to Brunswick.

With what admirable lamb-like meekness the Hessians permitted themselves to be made prisoners at Trenton by the rebels, who had been the whole of the preceding night struggling with the ice on the Delaware, and pursuing their march through a heavy snow storm! These prisoners, however, were only hired Hessians. But at Princeton it was his Majesty's troops that were engaged. There the 17th regiment found the enemy were too numerous, and so "pushed forward" to get out of harm's way, it would seem; while the 55th regiment "retired" to Brunswick, and the 45th regiment "also retired to Brunswick." But they "pushed forward" and "retired" with such rapidity that the barefooted rebels, after a night march over the frozen ground, without food and without rest, could not overtake them.

## V.

The “ wild misapprehensions ” said by Lord Mahon to have been current among the Americans as late as May 9, 1776, are much modified in his next paragraph.

• He now says :—

“ The gradual progress of the idea of independence “ in the minds of the people may be clearly traced “ through the *first six months* of 1776. *Several of “ the Colonies* sent instructions to their delegates in “ Congress desiring or directing them to vote for a “ separation.”—(P. 94.)

It seems, then, that Lord Mahon could clearly trace this progress through the first six months of the year, notwithstanding what he says of the “ wild misapprehensions current ” among the people, as to what they meant by independence, so late as in the fifth of these six months. He now admits there was such a “ progress of the idea of independence ” in the first half of the year 1776, that “ *several of the Colonies* ” desired or directed their delegates “ to vote for a “ separation.” It was easy for Lord Mahon to have said, in place of his “ several,” that the delegates of *eleven* of the Colonies were by their instructions authorized to vote for a separation. He could have given the exact number ; and “ full justice to the “ opposite cause,” as well as fairness to his readers, required of him not to represent *eleven* as *several* of thirteen.

Instructions to their delegates in Congress directing or authorizing them in their discretion to vote for independence were of the following dates :—

NO Massachusetts, January 18, 1776.

NO South Carolina, March 23, 1776.



Georgia, April 5, 1776.

North Carolina, April 12, 1776.

Rhode Island, May 4, 1776.

Virginia, May 15, 1776.

ve Pennsylvania (Assembly), June 14, 1776.

Connecticut, June 14, 1776.

New Hampshire, June 15, 1776.

New Jersey, June 21, 1776.

Pennsylvania (Convention), June 24, 1776.

Maryland, June 28, 1776.

All these were authorized by their instructions “ to vote for a separation ;” and the instructions of three only of these (Massachusetts, South Carolina, and Georgia) were in general terms. This is what Lord Mahon makes “ *several* of the Colonies sent instructions to their delegates in Congress, desiring or directing them to vote for a separation.”

## VI.

“ Amongst the Virginians, the appetite for such a measure was so keen that they resolved it for their own Colony *some time before* any general system of that kind had received the sanction of Congress.”— (P. 94.)

This is a misstatement. In Virginia, as in all her sister Colonies, there had long been manifested a “ keenness of appetite ” to be placed on a political equality with their fellow-subjects in England, at first as one nation, but, that having been denied them, they had now determined to secure equal rights by a separation.

The adoption of the Constitution and Declaration of Rights, in June, 1776, annihilated the Colonial Government and the King’s authority in Virginia.

But this was not done, as Lord Mahon asserts, “some  
 “time before any general system of that kind had  
 “received the sanction of Congress.” On the contrary, Congress, on the 10th of May, 1776, recommended, as a “general system,” to all the Colonies,  
 “where no government sufficient to the exigency of  
 “their affairs hath been hitherto established, to adopt  
 “such government as shall, in the opinion of the  
 “representatives of the people, best conduce to the  
 “happiness and safety of their constituents in particular and America in general.”

*skurrows* Long before this, however, the men of Mecklenburg, North Carolina, whose appetite was so keen that they could not wait for the others, had, on the 31st of May, 1775, adopted resolutions declaring a total separation of the Colonies from England.

## VII.

“A committee prepared, and on the 27th of May  
 “reported, at Williamsburg, a Declaration of Rights,  
 “which at a later period served the Revolutionists  
 “of France for the model of their more celebrated  
 “‘Rights of Man.’ *In that Declaration it is affirmed*  
 “that the rights which are claimed cannot exist with  
 “an hereditary monarchy; for the fourth article states  
 “that the idea of a man being born a magistrate,  
 “a legislator, or a judge, is unnatural and absurd.”—  
 (P. 94.)

Well, such an idea is just as absurd as that of a man being born an astronomer, or a chemist, or a machinist, or an historian. But the fourth article of the Declaration does not state what Lord Mahon says it does. The Declaration was adopted on the 12th of June, 1776, and what it *affirms* in the fourth article is

in these words:—"That no man or set of men are  
 "entitled to exclusive or separate emoluments and  
 "privileges from the community but in consideration  
 "of public services; which, not being descendible,  
 "neither ought the offices of magistrate, legislator, or  
 "judge to be hereditary."

This is what the fourth article of the Declaration of Rights affirms. What Lord Mahon says "in that  
 "Declaration is affirmed" forms no part of the Virginia Declaration of Rights, which, he says, served as a model for the revolutionists of France. The report of the Committee of the 27th of May was not entered on the Journal of the Convention. Lord Mahon found it in the American Archives (vol. vi. p. 1537), where it is given in a note. The Declaration was adopted on the 12th of June; this he found also in the same volume (p. 1561), in its proper place on the Journal. It could not be overlooked nor mistaken by one who had so carefully noticed the change made by the Congress in the draught of the Declaration of Independence reported by the Committee. Nor could he mistake the report of a committee for a decision by the Convention on any proposition reported by a committee.

It will be difficult for Lord Mahon to free himself from the charge of having here deliberately substituted what was not adopted for what was adopted by the Virginia Convention.

As to his fling at the Declaration, that "at a later  
 "period it served the Revolutionists of France" for a model, it does not impeach the patriotism nor the wisdom of the framers of it. If France had adopted and adhered to the principles it recognises, it might, perhaps, have been as well for the people of that country.

## VIII.

“ In other places there were symptoms less decided  
 “ perhaps, but scarcely less significant of the popular  
 “ tendency. Thus in the Maryland Convention we  
 “ find this resolution adopted on the 25th of May:  
 “ ‘ That every prayer and petition for the King’s  
 “ Majesty be henceforth omitted in all churches or  
 “ chapels of the province.’ ”—(P. 94.)

Here Lord Mahon, with an affected boldness of conscious integrity, gives a resolution of his own making, in place of the resolution of the Convention, which stands recorded in these words:—

Whereas his Britannic Majesty, King George, has prosecuted and still prosecutes a cruel and unjust war against the British Colonies in America, and has acceded to acts of Parliament declaring the people of the said Colonies in actual rebellion; and whereas the good people of this province have taken up arms to defend their rights and liberties, and to repel the hostilities carrying on against them, and whilst engaged in such a contest cannot with any sincerity or devotion of heart pray for the success of his Majesty’s arms:

*Therefore resolved*, That every prayer and petition for the King’s Majesty in the Book of Common Prayer and administration of the sacraments and other rites and ceremonies of the church, according to the use of the Church of England, *except the second Collect for the King in the Communion Service*, be henceforth omitted in all churches and chapels in this province, until our unhappy differences are ended.

What is the Collect that was excepted by the Convention? In the Book of Common Prayer the second Collect for the King in the Communion Service in 1776 was as it is here given:—

Almighty and everlasting God, we are taught by thy holy Word that the hearts of kings are in thy rule and governance, and that thou dost dispose and turn them as it seemeth best

to thy godly wisdom. We humbly beseech thee so to dispose and govern the heart of GEORGE, thy servant, our King and Governor, that in all his thoughts, words, and works, he may ever seek thy honour and glory, and study to preserve thy people committed to his charge, in wealth, peace, and godliness. Grant this, O merciful Father, for thy dear Son's sake, Jesus Christ our Lord. Amen.

The prayer for the King, which it is here seen was retained by the resolution of the Convention of the 25th of May, flatly contradicts Lord Mahon's resolution of the same date. The mere statement of the fact is a sufficient comment on his claim to "honesty of purpose." How much better it would have been for his reputation as an historian if Lord Mahon had been governed by the principles he laid down for himself as an author. "To state any fact without sufficient authority," he says, "implies not merely literary failure, but moral guilt."

## IX.

"The Congress itself, or at least its leading members, had become by this time ripe for the change."  
—(P. 94.)

From Lord Mahon's disregard of dates, or of referring to them indistinctly, it is oftentimes difficult to fix with any degree of exactness the time of which he is speaking. "By this time" it may be believed that he means the 27th of May, 1776, or thereabouts.

On the 10th of May a resolution was adopted which shows that Congress was then ripe. This resolution, in the history of American Independence, is second in importance only to the resolution of independence of the 2nd of July. And yet these great landmarks in the Revolution—one pointing to independence, the other independence itself—Lord Mahon passes over



in silence, while one-fourth of the six pages he gives to his History of the Declaration, are devoted to "Thomas Paine" and "John Thomson."

On the 15th of May a declaration or preamble, to accompany the resolution, was adopted, and both were by the Congress ordered to be published. They are as follow :—

Whereas his Britannic Majesty, in conjunction with the Lords and Commons of Great Britain, has by a late Act of Parliament, excluded the inhabitants of these United Colonies from the protection of his Crown; and whereas no answer whatever to the humble petition of the Colonies for redress of grievances and reconciliation with Great Britain has been or is likely to be given, but the whole force of that kingdom, aided by foreign mercenaries, is to be exerted for the destruction of the good people of these Colonies; and whereas it appears absolutely irreconcilable to reason and good conscience for the people of these Colonies now to take the oaths and affirmations necessary for the support of any Government under the Crown of Great Britain, and it is necessary that the exercise of every kind of authority under the said Crown should be totally suppressed, and all the powers of Government exerted under the authority of the people of the Colonies for the preservation of internal peace, virtue, and good order, as well as for the defence of their lives, liberties, and properties against the hostile invasions and cruel depredations of their enemies.

*Resolved*, That it be recommended to the respective assemblies and conventions of the United Colonies, where no Government sufficient to the exigencies of their affairs hath been hitherto established, to adopt such Government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular and America in general.

The Congress had, however, several times before, in cases of great emergency, advised the establishment of Governments in Colonies where such a measure ap-

peared to be called for by the exigencies of the times, namely : to Massachusetts on the 9th of June, 1775 ; to New Hampshire on the 3rd of November, 1775 ; to South Carolina on the 5th of November, 1775 ; and to Virginia on the 4th of December, 1775. The resolution of May, 1776, recommending to all Colonies the adoption of Governments where none had yet been established, was practically cutting “ the knot ” that tied them to Great Britain.

## X.

“ So far back as the November preceding, they had appointed a secret committee for corresponding with the friends of America in Great Britain, Ireland, and other parts of the world. By that committee, a few months afterwards, Silas Deane, of Connecticut, was dispatched on a private mission to Paris. His instructions, which bear the date of the 3rd of March, direct him to inform the Count of Vergennes, the French Minister for Foreign Affairs, that if we should, as there is great appearance we shall, come to a total separation from Great Britain, France would be looked upon as the Power whose friendship it would be fittest for us to obtain and to cultivate.”—(Pp. 94-95.)

That is to say, Mr. Deane was sent on a private mission to Paris merely to inform the French Minister of Foreign Affairs that there would probably be a separation of the American Colonies from Great Britain, and that in that event “ France would be looked upon as the Power whose friendship it would be fittest for us to cultivate.” Was this the sole purpose for which Mr. Deane was sent on his private mission to Paris ? Lord Mahon leaves his reader to understand

that he was sent for no other purpose ; but he stopped too soon. If he had continued on and added a few lines to what he has taken, it would be seen that Mr. Deane was not the bearer of a mere complimentary note, for this immediately follows Lord Mahon's extract :—

That the commercial advantages Britain had enjoyed with the Colonies had contributed greatly to her late wealth and importance ; that it is likely great part of our commerce will naturally fall to the share of France, especially if she favours us in this application, as that will be a means of gaining and securing the friendship of the Colonies ; and that as our trade was rapidly increasing with an increase of our people, and in a greater proportion, her part of it will be extremely valuable ; *that the supply we at present want is clothing and arms for twenty-five thousand men, with a suitable quantity of ammunition, and one hundred field-pieces.*

Lord Mahon stopped when he came to the allusion to Britain, that her commercial advantages with the Colonies “ had contributed greatly to her late wealth “ and importance.” He might have passed that over, as he saw in it an unpleasant truth ; but he should not have omitted the application for military supplies, which was the principal object of Deane's private mission. The Colonies had men ; what they wanted of France was clothing, and arms, and ammunition.

When the Americans determined on an appeal to arms, they had neither fleets nor armies ; they had no magazines of powder or other munitions of war, nor a cannon foundry, nor public establishments for making small arms ; they were without materials for making gunpowder, and without lead to make balls for their muskets. They had no manufactories for flax, or of wool, or of iron. For these and for almost every description of manufactured articles necessary for their



comfort, they were dependent on England. Besides all this, they had no money: the policy of England drew from the Colonies their specie, and transferred it to the coffers of the more favoured subjects in England.

Such was the condition of the Colonies at the beginning of their contest with the Crown. Their condition was looked upon by the British Government as helpless and powerless; and the same view of their weakness was taken by the prominent English writers. One of them says:—

Let us suppose the Continental Colonies to be as happy in the *necessary agriculture* as they really are, but to be absolutely without manufactures, could they throw off their allegiance to Britain, be their numbers what they would? No, certainly; for that is nothing more than supposing that they could throw off their allegiance to hoes and spades, and coats and shoes, which is absurd to imagine. Can any one imagine that a rebellion can be carried on among a people when the greatest success must be attended with the loss of half the necessaries of life.

Such opinions were entertained by intelligent men in England as to the total inability of the Colonies to make a military resistance; while the masses there (never remarkable for intelligence) looked upon the Americans as claiming privileges to which they were not entitled, and which none but Englishmen had a right to claim. Thus the measures of the British Government in relation to the Americans had the support of public opinion—such as it was—at the beginning, at least.

Notwithstanding the supposed weakness on the side of the Colonies, and the apparently overwhelming strength on the part of the Crown, the Congress determined to resist with arms the encroachments on the rights of the Americans. Through the private mis-

sion of Silas Deane, they hoped to obtain from the friendly aid of France supplies of clothing and of arms: they did not seek the assistance of hired mercenaries.

## XI.

“ Besides the other causes of alienation from England at this juncture, there was one less obvious, but not less real.

“ It has been a saying of the Marquis de Montcalm that our conquests along the St. Lawrence would hereafter lead to the severance of our American Colonies from the parent State, and that France would thus obtain a compensation for her loss.”—  
(Page 95.)

Lord Mahon, though he gives this “saying” of Montcalm, or “prediction,” as he also calls it, without hesitation, and without an intimation of the slightest doubt of the entire truth of the story, takes care not to vouch for its truth. Notwithstanding the great importance he attaches to this “saying,” he is particularly emphatic in disavowing any responsibility or participation in any responsibility for it. In a note he washes his hands clean of it. For his authority he refers the reader to a “most able speech on Colonial Government, delivered by Lord John Russell in the House of Commons, February 8, 1850;” which speech the reader may find or not find, according to his facilities for making such a reference. Few persons in America have seen the speech of Lord John Russell cited by Lord Mahon, but many are aware of the existence of the spurious letters published as Montcalm’s, eighteen years after his death, by John Almon, London, 1777. Upon examining these letters, Lord Mahon will find that they

do not establish as a fact the assumed "saying" of Montcalm. The extreme modesty with which he acknowledges his lack of information in regard to these letters, appears too much like an affectation of ignorance to gain for it universal credence. He says: "On the *prediction of the Marquis de Montcalm*, "and on this whole branch of the subject, I would refer the reader to that most able speech," &c. "It is only through this speech that *the words of Montcalm* are known to me;" that is to say, he had no knowledge of the "saying," or "the prediction," or "the words of Montcalm," save what he found in Lord John Russell's speech. Such an admission by Lord Mahon, he ought to know, would detract more from his pretensions for careful research than he can well spare. The existence of the "Letters of Montcalm" was well known, and they were within the reach of Lord Mahon. Why he did not go to these instead of the second-hand allusion to them in the speech, he informs his reader, was, because he knew nothing about them himself, but relied altogether on Lord John Russell. If it had occurred to him to inquire of Lord John Russell where and how he obtained such an important historical fact, he would surely have been relieved from his embarrassment. The following is an extract from one of these letters, about which he so earnestly avers he knew nothing. It is dated "Camp before Quebec, August 24, 1759:"—

All the English Colonies would long since have shaken off the yoke, each Province would have formed itself into a little independent republic, if the fear of seeing the French at their door had not been a check upon them. Master for master, they would have preferred their own countrymen to strangers, observing, however, this maxim, to obey as little as possible: but when Canada shall be conquered, and the

Canadians and these Colonies become one people, on the first occasion, when England shall seem to strike at their interest, do you believe, my dear cousin, that these Colonies will obey? And what would they have to fear from a revolt? Could England send an army of a hundred thousand men to oppose them at such a distance? &c. &c.

In 1759, and for any period of time before included within any space embraced by “long since,” the Crown of England had no subjects more loyal than were found in the American Colonies. Even in 1774 they asked only to be put in possession of the rights and privileges they enjoyed in 1763. In 1759, the idea that long since “each Province would have formed ‘itself into a little independent Republic’” had entered the mind of no man living.

Besides, August 24, 1759, was but a few days before the death of Montcalm. Quebec was menaced by an English fleet and army, which was then in its front and on both its flanks. According to the journal of one who was present on the 20th of August—

The Louisburg grenadiers began their march down the main land of Quebec, in order to burn and destroy all the houses on that side. On the 24th they were attacked by a party of French, who had a priest for their commander; but our party killed and scalped thirty-one of them, and likewise the priest, their commander. They did our people no damage. The three companies of Louisburg grenadiers halted about a mile down the river, at a church called the Guardian Angel, where we were ordered to fortify ourselves till further orders. We had several small parties in houses, and the remainder continued in the church. The 25th began to destroy the country, burning houses, cutting down the corn, and the like, &c. &c.

Under the circumstances detailed in the journal from which the foregoing is copied, it is not to be

supposed that Montcalm had leisure, even if he had the inclination, to write long letters speculating minutely on matters of future provincial policy on the part of England or of France. His whole time and his whole energies were required and were devoted to the defence of Quebec. He lost both his life and Quebec on the 13th of September, 1759.

## XII.

“ Under the influence of the various motives and “ causes which I have endeavoured to explain, but “ above all, no doubt, from the feeling of petitions “ slighted, and wrongs unredressed, the Congress took “ up the question of independence in good earnest.”— (P. 95.)

“ Petitions slighted and wrongs unredressed,” so lightly and carelessly thrown in here as “ above all,” were by no means the causes that induced the Congress to take up the question in June, 1776. It was then too late to do otherwise. Congress had decided on the question on the 15th of May, after which America did not seek and could not accept any redress short of independence. Lord Mahon could not discover any “ causes” in the oppressions that drew from the Colonies the petitions for redress of grievances; none in a continued system of oppressions; none in the efforts of the King to make his American subjects feel that they were held by him to be inferior to his English subjects, and as such not entitled to equal rights and privileges with them. Lord Mahon could only see and feel and sympathize with the oppressor. His utmost admission to “ the opposite cause” was, that their petitions were “ *slighted*.” Their petitions were *rejected*—thrown aside with rudeness and contempt.



Wrongs were multiplied and aggravated. The kindest word from the King was a threat, the mildest argument the sword. Fleets and armies, including his foreign mercenaries, were his ministers of peace. The only terms of conciliation offered were unconditional submission, or the torch, the bayonet, and the cord. The Colonies preferred war, with all its consequences, unprepared for it as they were, to such a submission. Declared to be out of its protection by the Crown, and war made upon them by sea and by land, they were driven to the last resort—a resort not of their own seeking, but forced upon them : they were compelled by the King and Parliament of Great Britain, in self-defence and for self-preservation, to declare themselves independent of the English Crown.

### XIII.

“ Early in June a *distinct proposal* to that effect “ was moved by Mr. Richard Henry Lee and seconded “ by Mr. John Adams.”—(P. 95.)

By reaching this “ distinct proposal ” at a single jump, Lord Mahon leaps over all the previous proceedings that indicated step by step the result to which they inevitably tended, and which, as he says, “ may “ be clearly traced through the first six months of “ 1776 ; ” that is, to the “ distinct proposal,” as he calls the resolutions of independence : for, after the declaration of the Congress of December 6, 1775, every measure of self-defence in America to protect themselves against the measures adopted in England to coerce the Colonies to submission was one step onward. They were afforded no opportunity to take a single backward step.

But, besides such acts of the Congress as were cer-

tain indications of the inevitable result to which the oppressive acts of England, if persevered in, would lead, there were proofs that in the Colonies—in “several” of them at least—that result had already been attained. Of all knowledge of these transactions, so indispensable to an understanding of the question at issue between the two countries when the “distinct proposal” was made, Lord Mahon has deprived his readers.

On the 14th of May the credentials of the delegates from Rhode Island of the 4th of May were laid before Congress and entered on the Journal. Though the Assembly did not use the word “independence,” yet it distinctly authorized the delegates to join with the others in a vote for independence. The resolution of Congress, of the 10th of May, with the preamble, adopted on the 15th, was in fact and in effect a resolution of independence in all but in name. The instructions of North Carolina of the 12th of April, and of Virginia of the 15th of May, expressly authorizing their delegates to vote for independence, were submitted to Congress on the 27th of May. This was followed by the “resolutions respecting independence,” presented on the 7th of June, the “distinct proposal:”

*Resolved*, That these United Colonies are, and of right, ought to be, free and independent States; that they are absolved from all allegiance to the British Crown; and that all political connexion between them and the State of Great Britain is and ought to be totally dissolved.

That it is expedient forthwith to take the most effectual measures for forming foreign alliances.

That a plan of confederation be prepared and transmitted to the respective Colonies for their consideration and approval.

These were all parts of the same great measure,

(independence,) and all were to stand or fall together. They were considered on the 8th and on the 10th of June. On the latter day the further consideration of the first resolution was postponed to the 1st of July. The order for the postponement directed the appointment of a committee to prepare a declaration :—

*Resolved*, That the consideration of the first resolution be postponed to Monday, the first day of July next ; and, in the meanwhile, that no time may be lost, in case Congress agree thereto, that a committee be appointed to prepare a declaration to the effect of the said first resolution, which is in the following words : ‘ That these United Colonies are, and of right ought to be, free and independent States ; that they are absolved from all allegiance to the British Crown ; and that all political connexion between them and the State of Great Britain is and ought to be totally dissolved.’

The consideration of the resolution was not again entertained by the Congress until the 1st of July.

#### XIV.

“ The latter (John Adams) the most conspicuous among its defenders in debate. On the other side the principal speaker was Mr. Dickinson. He observed that since the member for Massachusetts had thought fit to commence by invoking a heathen God, the God of Eloquence, he, for his own part, should more solemnly implore the true God, the God of the Universe, that if the proposed measure was for the benefit of America, nothing which he should say against it might make the least impression.” (P. 95.)

According to Lord Mahon, this was early in June, and before the appointment of the Committee to prepare the draught of a Declaration of Independence. Mr. Adams is made to speak first, and was answered



by Mr. Dickinson, who in the opening of his speech referred to Mr. Adams as having commenced his by "invoking a heathen God, the God of Eloquence."

Mr. Adams, in his autobiography, does not determine with certainty the day that this debate, "the greatest and most solemn debate, was had on the question of independence," but refers to it under the date of July 1. On the 10th of June the further consideration of the question was postponed to that day. By this postponement those on both sides disposed to take the lead, or to take part in the debate on the 1st of July, had full time to prepare for it.

Mr. Adams, who did not expect much discussion, but that without it the question would be put and decided, had prepared no notes or references. But, he says, "Mr. Dickinson, however, determined to bear his testimony against it with more formality. He had prepared himself apparently with great labour and ardent zeal, and in a speech of great length, and with all his eloquence, he combined together all that had before been written in pamphlets and newspapers, and all that had before, from time to time, been said in Congress by himself and others."

After Mr. Dickinson had concluded, no one else offering to take the floor, Mr. Adams says, "I determined to speak. It has been said by some historians that I began by an invocation to the God of Eloquence. This is a misrepresentation. Nothing so puerile fell from me."

The facts then appear to be, that Mr. Adams did not speak first, but that Mr. Dickinson opened the debate, and the speech of Mr. Adams was in reply to him; that Mr. Adams did not begin by "invoking a heathen God, the God of Eloquence;" and that

Mr. Dickinson could not have made the remark imputed to him in reference to “ the member for Massachusetts.” On this point, besides the declaration of Mr. Adams, the fact that Mr. Dickinson spoke first, and not in reply, is conclusive.

## XV.

“ Without expressly adopting the resolution thus “ before them, the Congress appointed a committee to “ prepare a declaration *in the form desired*. This “ committee was to consist of five members, including “ John Adams, Jefferson, and Franklin.” (P. 96.)

On the 11th of June a committee for preparing the Declaration, consisting of Mr. Jefferson, Mr. J. Adams, Mr. Franklin, Mr. Sherman, and Mr. R. R. Livingston, was appointed. This committee was appointed at that early day to prepare a declaration “ *to the effect*” of the resolution, for the reason given, “ that “ no time might be lost *in case the Congress agree thereto* ;” that is, to the resolution of independence. Nothing was said about “ the form desired.” This is one of Lord Mahon’s improvements. It was to substance and not to “ form” the attention of the committee was directed. What was required of the committee was a draught of a declaration which “ a “ decent respect for the opinions of mankind” would require of the Congress for adopting the resolution of independence. Lord Mahon’s “ *in the form desired*” is his own amendment of the Journal of Congress—an alteration entirely unnecessary if he meant it for a change of words only ; for it was just as easy to give the words of the record as to substitute others of his own.

But, as he is careful to show a want of sincerity and

of honesty of purpose in the popular "leaders" of the "opposite cause," he probably selected his substituted words as best conveying the idea he wished to impress on the mind of his readers of insincerity or trickery on the part of Congress to prepare them to overlook the imputation he afterwards insinuates, that the unanimous Declaration of Independence was procured by evasion or deception, when he says, "by such means a seeming concord—an unanimity on paper—was attained."

## XVI.

"Jefferson, though the youngest of all, was destined to hold the pen. In his own memoirs may be seen the draught as he had just penned it, with some slight amendments by Franklin and Adams, and *as it was then reported to the House.*" (P. 96.)

When was it reported to the House? The only dates given by Lord Mahon, after "early in June," are "at the beginning of July," and "the 4th of July;" and he makes no allusion to the Resolution after "early in June." When the Declaration *was reported to the House* by the Committee, and when the Resolution was considered and adopted, and when the Declaration was taken up for consideration in Congress, the reader, if he does not know and desires to know, must seek elsewhere than in Lord Mahon's history for information, the author having omitted all the dates, except "early in June" and "at the beginning of July." The correct dates are here supplied.

It has been seen that the further consideration of the Resolution of the 7th of June was on the 10th postponed to Monday, the 1st of July, and that on the 11th of June the Committee on the Declaration was

appointed. This committee reported a draught on the 28th of June, which was read and laid on the table ; and on the 1st of July was referred to the Committee of the Whole on the Resolution of Independence of the 7th of June, which, agreeably to the order of the 10th of that month, was considered in Committee of the Whole, and reported to the House on the 1st of July. The Resolution was adopted the next day, July 2. Afterwards, on the same day, the Declaration was for the first time taken up : it was further considered on the 3rd, and adopted on the 4th July.

In Lord Mahon's search for facts for his " history," it is a matter of great surprise that he did not make the discovery that the Resolution of Independence, and the Declaration of Independence, were separate and distinct measures before Congress, proposed at different times, considered at different times, and decided at different times ; that the Resolution was the great question of American Independence—the Declaration was the announcement of American Independence to the world. All this is very plainly stated on the Journals of Congress ; but, plain as it is, the strikingly ingenious obscurity of his narrative, in which he lost sight of the Resolution after his first mention of it, leaves his reader in total darkness as to what became of it afterwards.

## XVII.

" Several alterations of importance were subsequently made by the Congress at large. *They deemed it wiser to omit the passages which conveyed a censure on the British people, and to aim their complaints as directly as possible against the King.* Thus, *as they imagined*, they should in a great measure keep clear of offence to their friends in England." (P. 96.)

This is asserted by Lord Mahon with as little hesitation and as much positiveness as if he had been seated by the side of Charles Thomson, listening to and taking notes of what was said by the several members of the Congress in the debate on the Declaration of Independence. But he was not there ; and as it is nowhere found upon record that “ they deemed it wiser,” or that “ they imagined,” by aiming their complaints against the King, they would “ keep clear of offence to “ their friends in England,” the motives he attributes to the Congress are entirely of his own invention.

Mr. Jefferson gives a different reason for striking out the passages. He says :—

The pusillanimous idea that we had friends in England worth keeping terms with, still haunted the minds of many. *For this reason* the passages which conveyed censure on the people of England were struck out.

Here is nothing about the King, nor of aiming “ their complaints as directly as possible against the “ King,” for the purpose, “ as they imagined,” of hoodwinking (for that is insinuated by Lord Mahon) their friends in England, and so “ in a great measure” keep clear of giving them offence.

The probability is that the passages were omitted as unnecessary. The paragraph as amended, and as it now stands, says all the occasion demanded, without the details and the argument in the report of the committee. The fear of giving offence to their friends in England could not have had much influence in the Congress at that time.

At an earlier day, when a declaration justifying the capture of British property on the sea was under consideration, “ their friends in England” were remembered, and a desire to avoid giving them offence was



felt and expressed. This declaration was adopted by Congress on the 23rd of March, 1776:—

Whereas the petitions of the United Colonies to the King for the redress of great and manifest grievances, have not only been rejected, but treated with scorn and contempt, and the opposition to designs evidently formed to reduce them to a state of servile subjection, and their necessary defence against the hostile forces actually employed to subdue them, declared rebellion :

And whereas an unjust war has been commenced against them, which the commanders of the British fleet and armies have prosecuted, and still continue to prosecute, with their utmost vigour, and in a cruel manner, wasting, spoiling, and destroying the country, burning houses and defenceless towns, and exposing the helpless inhabitants to every misery from the inclemency of the winter, and not only urging savages to invade the country, but instigating negroes to murder their masters :

And whereas the Parliament of Great Britain hath lately passed an Act, affirming these Colonies to be in open rebellion, forbidding all trade and commerce with the inhabitants thereof, until they shall accept pardons and submit to despotic rule, declaring their property, wherever found upon the water, liable to seizure and confiscation, and enacting that what had been done there by virtue of the royal authority were just and lawful acts, and shall be so deemed, from all which it is manifest that the iniquitous scheme concerted to deprive them of the liberty they have a right to by the laws of nature, and the English Constitution will be pertinaciously pursued :

It being, therefore, necessary to provide for their defence and security, and justifiable to make reprisals upon their enemies, and otherwise to annoy them, *according to the laws and usages of nations*, the Congress, trusting that such of their friends in Great Britain (of whom it is confessed there are many entitled to applause and gratitude for their patriotism and benevolence, and in whose favour a discrimination of property cannot be made) as shall suffer by captures will impute it to the authors of our common calamities, do declare and resolve as followeth, to wit :—



*Resolved*, That the inhabitants of these Colonies be permitted to fit out armed vessels to cruise on the enemies of the United Colonies.

If Lord Mahon had read this declaration he would have discovered that he was entirely mistaken in what he supposed the Congress “imagined;” he would have seen that their “complaints” were as “directly” against the Parliament as against the King; and that these complaints are accompanied with their regret, that in authorizing reprisals, a discrimination of property could not be made in favour of their friends in England. The passages that “conveyed a censure on “the British people” could not have been more offensive to their English friends than the capture of their property on the sea.

But has Lord Mahon ever read the Declaration of Independence? If so, how could it have escaped his observation that “the passages which conveyed a censure on the British people” were not all omitted? For the Declaration, as adopted, says: “We have “appealed to their native justice and magnanimity, “and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which “would inevitably interrupt our connexions and correspondence. They, too, (our British brethren,) “have been *deaf to the voice of justice* and of consanguinity.” Thus their complaints (Lord Mahon calls the enumeration of wrongs in the Declaration of Independence “complaints”) were not only directly against the King, but directly against the Parliament, and directly against the British people.

In the statement of their wrongs the Congress made no distinction. They could make no distinction in favour of the people of England, who sustained the

Parliament and the King. They did not “deem it “wiser,” nor did they foolishly “imagine” they could deceive their friends in England by an unworthy artifice, such as Lord Mahon suggests.

### XVIII.

“On other grounds of policy they also determined “to strike out the clause inserted by Jefferson, reprobating in strong terms the African slave trade.” (P. 96.)

Without inquiring as to “other grounds of policy,” a sufficient reason for striking out a clause reprobating in strong terms the African slave trade is found in the fact that this trade had already been prohibited. The slave trade was abolished by Congress in April of that year, so that retaining the clause or striking it out had no effect whatever as to the prohibition or continuance of that trade. Lord Mahon had the Journals of Congress before him, and he could have found the following recorded on the 6th of April, 1776:—

*Resolved*, That no slaves be imported into any of the Thirteen United Colonies.

This resolution for the abolishing the slave trade in America, which there is reason to believe received the unanimous assent of the Congress, Lord Mahon passes by without notice. He does not even give the fact, and intimates by his “other grounds of policy” that they “determined to strike out the clause” because they were determined to continue the slave trade. He may have some ready-framed excuse to offer for his disingenuousness; he cannot atone for it.

Lord Mahon had, however, “other grounds of policy” of his own for withholding all allusion to this resolution of the Congress for abolishing the slave

trade. To mention it at all would oblige him, as an "impartial historian," to class it with the other acts of rebellion against the laws of the King and Parliament of England, "who had never sought to prohibit the importation of slaves, but on the contrary, desired to continue it."

## XIX.

"That clause it was found would displease the Southern Colonies, who had never sought to prohibit the importation of slaves, but, on the contrary, desired to continue it." (P. 96.)

It would be supposed that, in making this unqualified assertion that "the Southern Colonies had never sought to prohibit the importation of slaves, but, on the contrary, desired to continue it," Lord Mahon was prepared with record evidence at hand to sustain what he asserts. Yet it is believed that he has no such evidence, and that, on the contrary, the evidence is, that the Southern Colonies, jointly with all the others, and separately each for itself, did agree to prohibit the importation of slaves, voluntarily and in good faith.

The Continental Association, adopted and signed by all the members of the Congress on the 20th of October, 1774, for carrying into effect the non-importation, non-consumption, and non-exportation Resolve of the 27th of September, provided for the discontinuance of the slave trade.

The second article of the Association is in these words :—

2nd. That we will neither import nor purchase any slave imported after the first day of December next; after which we will wholly discontinue the slave trade, and will neither be concerned in it ourselves nor will we hire our vessels nor sell our commodities or manufactures to those who are concerned in it.

This was signed by all the Delegates of the twelve Colonies represented in it. The members from the Southern Colonies who signed it were : Cæsar Rodney, Thomas McKean, and George Read, *of Delaware* ; Matthew Tilghman, Thomas Johnson, William Paca, and Samuel Chase, *of Maryland* ; Richard Henry Lee, George Washington, Patrick Henry, jun., Richard Bland, Benjamin Harrison, and Edmund Pendleton, *of Virginia* ; William Hooper, Joseph Hewes, and Richard Caswell, *of North Carolina* ; and Henry Middleton, Thomas Lynch, Christopher Gadsden, John Rutledge, and Edward Rutledge, *of South Carolina*.

As Georgia was not represented in the Congress of 1774, the Association could have no signatures from that Colony. But the people of Georgia, as soon as they could speak by their Representatives, expressed themselves as distinctly on this point as any of their brethren of the Southern Colonies. The following are among the Resolutions adopted by the Provincial Congress of Georgia, on Thursday, July 6, 1775 :—

1. *Resolved*, That this Congress will adopt and carry into execution all and singular the measures and recommendations of the late Continental Congress.

4. *Resolved*, That we will neither import or purchase any slave imported from Africa or elsewhere after this day.

The Continental Association was also adopted by the Maryland Convention on the 8th of December, 1774 ; by the South Carolina Provincial Congress on the 11th January, 1775 ; by the Virginia Convention on the 22nd of March, 1775 ; and by the North Carolina Provincial Congress on the 23rd of August, 1775. The Assembly of Delaware, on the 25th of March, 1775, passed a bill to prohibit the importation of slaves into that Government ; but this was returned by the Go-

vernor, John Penn, who refused to give it his assent.

Thus, the Southern Colonies, as far as was possible, besides giving their assent to the Association of the Congress by the signatures of their delegates to that compact, each, in their several Congresses and Conventions, separately expressed their approval of it, and their determination to support it.

The enforcement of the Continental Association was entrusted to committees duly authorized in the several Colonies. It may be well to refer to the action of one of these committees in the case of a violation of the second article, by Mr. John Brown, a merchant of Norfolk, in Virginia.

#### TO THE FREEMEN OF VIRGINIA :

*Committee Chamber, Norfolk, March 6, 1775.*

Trusting to your sure resentment against the enemies of your country, we, the committee, elected by ballot for the Borough of Norfolk, hold up for your just indignation Mr. John Brown, merchant of this place.

On Thursday, the 2nd of March, this committee were informed of the arrival of the brig Fanny, Capt. Watson, with a number of slaves for Mr. Brown; and, upon inquiry, it appeared they were shipped from Jamaica as his property, and on his account; that he had taken great pains to conceal their arrival from the knowledge of the committee; and that the shipper of the slaves, Mr. Brown's correspondent, and the captain of the vessel, were all fully apprised of the Continental prohibition against that article.

From the whole of this transaction, therefore, we, the committee for Norfolk Borough, do give it as our unanimous opinion that the said John Brown has wilfully and perversely violated the Continental Association, to which he had with his own hand subscribed obedience; and that agreeable to the eleventh article, we are bound forthwith to publish the truth of the case, to the end that all such foes to the rights of



British America may be publicly known and universally condemned as the enemies of American liberty, and that every person may henceforth break off all dealings with him.

This decision of the Norfolk Committee on the importation of the slaves by Mr. Brown, in violation of the Continental Association, told the whole story as to who were and who were not in favour of continuing it. The importers of the negroes were the supporters of the Crown ; the importation was opposed by the friends of the Colonies.

But, in connexion with this subject, Lord Dunmore's proclamation must not be lost sight of. It is dated on board the ship *William*, off Norfolk, November 7, 1775. The following is an extract from that able State paper :

And to the end that peace and good order may the sooner be restored, I do require every person capable of bearing arms to resort to his Majesty's standard, or to be looked upon as traitors to his Majesty's Crown and Government, and thereby become liable to the penalty the law inflicts upon such offences—such as forfeiture of life, confiscation of lands, &c. And I do hereby further declare all indented servants, negroes, or others (appertaining to rebels) free that are willing and able to bear arms, they joining his Majesty's troops as soon as may be, for the more speedily reducing this Colony to a proper sense of their duty to his Majesty's Crown and dignity.

Lord Dunmore here speaks in plain English, and what he uttered was probably good English law. He adopted, at least, the tone and the language used by the King, the Ministry, and the Royal Governors, in their kind and earnest efforts to conciliate the Colonies, and to restore the respect and affection they had once entertained for his Majesty's person, his Crown, and Government. Lord Dunmore's object, no doubt, was to expedite this return of good feeling, by his declaring “ all indented servants, negroes, or others, (appertain-

“ing to rebels,) free” that would join his Majesty’s troops for the more speedily reducing the rebels to a proper sense of their duty. But his Lordship did not consider it consistent with his duty to the King nor to humanity to declare any free that appertained to the royalists. No; the owners of these remained in peaceable possession of their indented servants and slaves, and were permitted to import as many negroes as they pleased, under the protection of the British flag. Like Mr. Brown, they had nothing to fear but the vigilance of the committees in enforcing the Association.

On the 23rd of November, 1775, a reply to this proclamation of Lord Dunmore, of which the following is an extract, was published at Williamsburgh, Virginia, in which the policy of England, in regard to the slave trade and the Colonies is stated in brief and strong terms:—

Our Assemblies have repeatedly passed Acts laying heavy duties upon imported negroes, by which they meant altogether to prevent the horrid traffic; but their humane intentions have been as often frustrated by the cruelty and covetousness of a set of English merchants, who prevailed upon the King to repeal our kind and merciful acts, little, indeed, to the credit of his humanity.

After this necessarily brief exhibition of unquestionable testimony, if it were not uncourteous to Lord Mahon, it might be said that his assertion that the Southern Colonies “had never sought to prohibit the importation of slaves, but, on the contrary, desired to continue it,” is “rash, reckless, and groundless.”

## XX.

“But the changes in the draught of the Declaration, though galling to the pride of *its authors*, were, in truth, mere matters of detail.” (P. 98.)

“ Such numerous mutilations of the draught were  
 “ by no means welcome to *those who had* framed it.  
 “ Franklin, who was sitting next to Jefferson, turned  
 “ round to him, and said : ‘ I have made it a rule,  
 “ whenever in my power, to avoid becoming the  
 “ draughtsman of papers to be reviewed by a public  
 “ body,’ ” &c. (P. 97.)

It seems, then, that the changes “ were in truth  
 “ mere matters of detail,” “ though galling to the pride  
 “ of its authors.” Yet “ such numerous mutilations,”  
 though they were, in truth, but mere matters of detail,  
 “ were by no means welcome to those who framed it.”  
 That is to say, a strong feeling of dissatisfaction was  
 manifested by the authors of the draught of the Decla-  
 ration ; and that the changes made in it by the Con-  
 gress were “ galling to their pride.”

This is what Lord Mahon represents with great  
 seeming honesty, as if what he said he believed to be  
 the truth. He, perhaps, in his desire to find dissen-  
 sions and a want of cordiality among the members of  
 the Congress, did not know how far this desire blinded  
 the eyes of his understanding. As his authority, he  
 refers to the “ Life of Franklin, by Mr. Sparks, p.  
 407.” Let us turn to the page pointed out, to see what  
 is there said about “ those who had framed it,” or  
 “ galling to the pride of its authors : ” —

Mr. Jefferson relates a characteristic anecdote of Franklin  
 connected with this subject.

Being annoyed at the alterations made in his draught,  
 while it was under discussion, and at the censures freely be-  
 stowed on parts of it, he began to fear it would be dissected  
 and mangled, till a skeleton only would remain.

I was sitting, he observed, by Dr. Franklin, who perceived  
 that I was not insensible to these mutilations. I have made  
 it a rule, said he, whenever in my power, to avoid becoming  
 the draughtsman of papers for a public body, &c.

And Mr. Jefferson in a letter to Mr. Adams, dated August 30, 1823, thus refers to the same circumstance :—

During the debate I was sitting by Franklin, and he observed that I was writhing a little under the acrimonious criticisms on some of its parts; and it was on that occasion, that, by way of comfort, he told me the story of John Thomson, the hatter, and his new sign.

Here we see that it was Mr. Jefferson, alone, who appeared to be annoyed. “I was sitting by Dr. Franklin, who perceived that I was not insensible “to these mutilations.” Nothing is said of dissatisfaction on the part of any one besides Mr. Jefferson; and whatever he may have said must have been in an under tone, and in the hearing of Dr. Franklin only.

That Mr. Jefferson did not approve of all the alterations, may be inferred from a remark in a letter from him to Richard Henry Lee, of the 8th of July, 1776, where he alludes to those that were made: “I send “you a copy of the Declaration of Independence as “agreed to by the House, and also as originally framed. “You will judge whether it is better or worse for the “critics.”

But Lord Mahon was not uninfluenced by a motive in making of so trivial an occurrence a matter of such vast importance, especially as connected with Franklin’s good-natured story about John Thomson. Its very importance, his lordship informs the reader, brings it under the rule he had adopted, “to neglect “no tale or incident, however trifling it may appear, “that may best illustrate the feelings which produced, “or the circumstances which attended any great crisis “in human affairs.”

The feelings of Mr. Jefferson neither produced nor

were attended with any circumstance that, in the remotest degree, was connected with any "great crisis in human affairs." The occurrence neither cooled his ardour nor abated his zeal in the common cause. It was without effect altogether.

The motive of Lord Mahon, however, is apparent. He desired to convey the idea that conflicting opinions and dissensions prevailed in the Congress; that all was discord there; that there was only "a seeming concord;" that this was a great crisis; and that the crisis was caused by the dissatisfaction of Mr. Jefferson. Here is his motive. But it was then too late even for *his* crisis. The crisis had been passed. The great measure, the resolution of independence, had, before this debate commenced, been adopted by the unanimous vote of twelve Colonies. When that was done, all that involved principle was done.

## XXI.

"It is the part of an historian (so at least it seems to me, and on that principle are the foregoing chapters framed) to neglect no tale or incident, however trifling it may appear, that may best illustrate the feelings which produced or the circumstances which attended any great crisis in human affairs." (Pp. 97-8.)

This is given as a reason or an apology by Lord Mahon for inserting the whole story of "John Thomson," not as an illustration in a note, but as a digression in the text of his history. As the important bearing of this "tale or incident" on a "great crisis in human affairs" has been disposed of, it is referred to now merely to supply one of the many he has omitted that comes clearly within his rule, and is of



at least equal importance with that which he has copied at length. It is an advertisement, and relates to two prisoners of war, officers of the British navy, who, on their parole of honour, were residing at Northampton, Massachusetts. Here is a copy of the advertisement :—

*Northampton, (Mass.) April 29, 1776.*

The following prisoners, lately officers in the British navy, who had given their paroles of honour not to depart from the bounds of the town of Northampton without leave from the commander-in-chief, did, on the evening of the 27th instant, abscond and run away, viz. Henry Edwin Stanhope, twenty-four years of age, has lightish eyes, hair, and complexion, pitted with the smallpox, has a large nose, and is about five feet six inches in height. Also George Gregory, twenty-four years old, with light coloured short hair, light complexion, and thin favoured, about five feet eight inches high. They took away a young stone horse, almost black, with a white face and hog mane, and an old roan gelding; both good horses. It is hoped that the greatest vigilance will be exerted to apprehend the said prisoners, who, in return for the indulgence shown them, have basely violated their word of honour. Five dollars and all necessary charges will be paid for apprehending and securing either of them.

Per order of the Committee of Northampton.

ROBERT BRECK, Chairman.

N. B. The printers in this and the neighbouring Colonies are desired to insert the above in the several papers.

This Mr. Stanhope, who “ basely violated his word “ of honour,” claimed to be “ the only son of the heir “ to one of the first earldoms in the British realm.” Such an example, by a man of his high pretensions to rank and honours, could not be without its effect on those of humbler birth who like him might be prisoners on their parole of honour. It was, in fact, an invitation to every British officer so situated to break his

parole and “abscond and run away,” and even take with him a horse, not his own, but the property of a rebel. Many British officers did follow the example set by Mr. Stanhope.

## XXII.

“But the changes in the draught of the Declaration, though galling to the pride of its authors, were in truth mere matters of detail. On its general principle—on the main point, that is to say, of independence—a division was taken at the beginning of July.” (P. 98.)

This “division” was in Committee of the Whole, on the *resolution* of Independence, on the 1st day of July. It was not a division on the *Declaration* of Independence, as Lord Mahon has it. The draught of the declaration was reported by the committee on the 28th of June, and laid on the table. It was not considered in Congress until after the adoption of the resolution on the 2nd of July, before which no changes could be made, or even proposed to be made in the draught. There was no division on the Declaration of Independence, which was adopted by a unanimous vote.

What induced Lord Mahon so to misrepresent the proceedings of the Congress on the great question of American Independence? He could not hope for success in his attempt so to distort history. He could not expect that, by excluding the resolution of independence from his “history,” he would thereby blot it out elsewhere and for ever. Perhaps it was too “galling to his pride” to record it. But, be his motive what it may, he has succeeded in one thing—he has presented in one page a mass of confusion and error that,

without other lights than he gives, neither his lordship nor the reader of his “ history ” can understand.

## XXIII.

“ Nine Colonies decided in its favour. Four others—  
“ namely, South Carolina, Pennsylvania, New York,  
“ and Delaware—either voted against it, or would not  
“ vote at all.” (P. 98.)

This vote, which, as before stated, was in Committee of the Whole on the resolution on the 1st of July, is represented by Lord Mahon as the vote by which the Declaration was adopted on the 4th of July. With the ample materials before him, he was well informed in regard to this. Why, then, does he give the proceedings on one question as the proceedings on another—the vote in Committee of the Whole on the Resolution of Independence as the final vote in the Congress on the Declaration of Independence? It was to enable him to make it appear that, as to the Declaration, only “ nine Colonies decided in its favour,” and the remaining four “ voted against it, or would not vote at all ; ” while, in fact,—and he must have been aware of the fact,—this vote was not on the Declaration, but on the Resolution ; and besides, being a vote in committee, though a test question, it was not even a decision on the Resolution. And of the four Colonies that in the committee “ either voted against it or *would not* “ vote at all,” Mr. Jefferson says, “ South Carolina “ and Pennsylvania voted against it,” and that “ Delaware had but two members present, and they were “ divided.” The New York delegates laid before the committee a letter from the Provincial Congress of that Colony, dated June 11, from which it appeared that they were not authorized to vote. The truth, then, is,

that of the thirteen Colonies in the Congress in Committee of the Whole, nine voted for the resolution, two voted against it, *two could not vote*, and that none were guilty of the discourtesy or contumely gratuitously charged by Lord Mahon, that they “ *would not vote at all.*”

## XXIV.

“ But within a few days, or even hours, means were found to ELUDE or to overcome that obstacle. The delegates of South Carolina were INDUCED TO DECLARE that, although they continued to think the measure hurtful, they would vote for it for the sake of unanimity.” (P. 98.)

The delegates of South Carolina made no such declaration. It appears that in Committee of the Whole, on the 1st of July, they voted against the Resolution of Independence, and that they voted for it when the question on its passage was taken in the Congress, on the 2nd of July. The South Carolina delegates were not, like the delegates of most of the Colonies, instructed to vote for independence. Nor were they, like the New York delegates, prohibited from voting on the question at all; but their instructions permitted them to do so. They were authorized by their instructions of the 23rd of March, 1776, to vote for every measure which they, “ together with a *majority* of the Continental Congress, shall judge necessary for the defence, security, interest, and welfare of this Colony in particular and of America in general.” The whole responsibility of the vote was thrown upon the delegates, and it behoved them on such an occasion to act only on the fullest deliberation.

On the report of the resolution by the committee the entry on the journal is :—

The resolution agreed to by the Committee of the Whole being read, the determination thereof was, *at the request of a Colony*, postponed till to-morrow.

Mr. Jefferson says :—

The committee rose and reported their resolution to the House. Mr. Edward Rutledge of South Carolina, *then requested* the determination might be put off to the next day, as he believed his colleagues, though they disapproved of the resolution, would then join in it for the sake of unanimity.

This “request,” according to the journal, and according to Mr. Jefferson, Lord Mahon, with his usual facility, changes for something else better adapted to sustain his own views. With him it was not a mere “request” to postpone for a day the vote on the *resolution*. As amended by him it becomes a declaration the delegates of South Carolina “*were induced*” to make of their reasons for voting for the *Declaration of Independence*.

Of the influences brought to bear on the South Carolina delegation, by whom, “within a few days, or “even hours, means were found to elude or to overcome that obstacle,” and to “induce them” to vote for it,—his Lordship is silent, as well he might be ; it was with him a groundless imputation against their honour and dignity.

South Carolina was then an independent State to all intents and purposes, with a Governor, and Council, and Assembly, and all other officers, civil and military, chosen by the authority of the people, under a constitution adopted on the 26th of March. The delegates of South Carolina were influenced only by what they believed to be their duty. If they asked for the delay of a day, it was for the purpose of a consultation among themselves. On such a consultation



they were induced by a conviction of its propriety and necessity to vote for the resolution. The delegation from South Carolina consisted of men who could not have been induced by any other consideration to vote for it. The attempted slur on their integrity by his lordship was as undignified as it was unjust and uncalled for.

## XXV.

“ In the Pennsylvania delegation a minority assumed  
 “ unto themselves the part of a majority, and under-  
 “ took to give their signatures as such. By such  
 “ means a seeming concord—a unanimity on paper—  
 “ was attained.” (P. 98.)

The integrity of the South Carolina delegates was first impugned. The Pennsylvania delegates are next charged with a gross fraud ; namely, that a “ minority  
 “ assumed unto themselves the part of a majority, and  
 “ undertook to give their signatures as such.” And, more than all, the Congress at large is implicated as having countenanced, if they did not encourage, the shameful proceedings to procure “ a seeming concord—  
 “ a unanimity on paper,” merely. So the reader of Lord Mahon’s history is given to understand.

The assertion of his lordship that a minority of the Pennsylvania delegation perpetrated the fraud he charged them with, that is, of doing an act in the Congress which could only be done by a majority, can scarcely be treated seriously ; for such an act could not be done without the connivance or collusion of the majority of that delegation, and of the whole Congress. But to what does he suppose the minority did assume to “ give their signatures” as a majority ? Up to this time, the 2nd of July, the proceedings he had been

detailing were on the resolution of independence, which was adopted this day by the vote of twelve Colonies. Lord Mahon, however, seems to appear to think that all he had been saying with such careful and skilful erroneousness about the Resolution, related in fact to the Declaration, though he was re-writing and altering what Mr. Jefferson had written on the subject, who refers particularly to the two distinct questions. Mr. Jefferson says :—

The ultimate question whether the house would agree to the resolution of the Committee (of the Whole) was accordingly postponed to the next day, (July 2, as requested by Mr. Rutledge,) when it was again moved, and South Carolina concurred in voting for it.

In the mean time another member had come from the Delaware counties, and turned the vote of that Colony in favour of the resolution.

Members of a *different sentiment attending that morning from Pennsylvania*, also, her vote was changed, so that the whole twelve Colonies, who were authorized to vote at all, gave their voices for it.

This was the vote on the Resolution of Independence. It is of this vote Lord Mahon says, with a sneer, “ by “ such means a seeming concord—a unanimity on “ paper—was attained.” But it was more than “ a “ seeming concord,” more than “ a unanimity on “ paper.” It was a unanimity that the arts and the power of England could not sever.

To Mr. Jefferson's the statements of others may be added. On the 2nd of July, the New York delegates wrote to the Convention of that Colony, urging in strong terms the necessity of sending them instructions. They say : “ The important question of independence “ was agitated yesterday in a Committee of the Whole “ Congress, and this day will be determined in the

“ House.” They have doubts as to what it would be their duty to do on some occasions, without instructions, “ should independency be declared, and that it will “ not, we have not the least reason to expect ; nor do “ we believe that (if any) more than one Colony (and “ the delegates of that divided) will vote against the “ question.”

At a later hour on the same day, July 2, 1776, Henry Wisner, one of the New York delegates, wrote to the Convention, enclosing the letter from which the preceding extract is made. In this Mr. Wisner says :—

Since writing the enclosed, the question of independence has been put in Congress, and carried in the affirmative without one dissenting voice. I therefore beg your answer as quick as possible.

On the 3rd of July, John Adams wrote :—

Yesterday, the greatest question was decided which ever was debated in America, and greater perhaps never was and never will be decided among men. A resolution was passed, without one dissenting Colony, ‘ that these United Colonies are, and of right ought to be, free and independent States,’ &c.

You will see in a few days a declaration setting forth the causes which have impelled us to this mighty revolution, and the reasons will justify it in the eyes of God and man.

Mr. Adams again writes on the same day :—

But the day is passed. The second day of July, 1776, will be the most memorable epocha in the history of America. I am apt to believe that it will be celebrated by succeeding generations as the great Anniversary Festival. It ought to be commemorated as the day of deliverance by solemn acts of devotion to God Almighty. It ought to be solemnized with pomp and parade, with shows, games, sports, guns, bells, bon-fires, and illuminations, from one end of the continent to the other, from this time forward for evermore.

The adoption of this resolution on the 2nd of July,

1776, was the termination of all lawful authority of the King over the thirteen United Colonies—made by this act of the Congress thirteen United States of America. The Americans now owed no more allegiance to England than they owed to Germany, or France, or Spain; they were no longer rebels or insurgents; they claimed their recognition as one among the family of nations of the earth, and they maintained and sustained the claim. It was in the end acknowledged by the King of England himself. After the 2nd of July, 1776, the English armies, with their Hessian allies, were the invaders of America, sent to reduce the independent States to unconditional submission to the Crown of England. And yet this day has no place in Lord Mahon's "history," the day on which was consummated the most important measure that had ever been debated in America.

## XXVI.

"The Declaration of Independence, *appearing* as the act of the whole people, was finally adopted and signed by every member present at the time, except only Mr. Dickinson.

"This was on the 4th of July—a day which has ever since been celebrated as a festival day by the Americans—as the birth-day, for thus they deemed it, of their freedom." (P. 98.)

The Declaration of Independence was adopted on the 4th of July by the vote of twelve States, the same that two days before had as Colonies passed the act of independence. On the 4th of July the Congress also ordered:—

That the Declaration be authenticated and printed.

That the committee appointed to prepare the Declaration superintend and correct the press.

That copies of the Declaration be sent to the several assemblies, conventions, and committees or councils of safety, and to the several commanding officers of the Continental troops ; that it be proclaimed in each of the United States, and at the head of the army.

All this was done. It was also printed and circulated among the people, in all the cities, towns, and villages, wherever a printing press was found. It was read everywhere—in churches, in the courts, at all gatherings of the people, and in every private company and family circle. It was this universal diffusion of the Declaration that made the 4th of July the great festival day of the nation, instead of the 2nd day of July, the real birthday of American freedom.

But it should be remembered that on the 4th of July it was “ a Declaration by the Representatives of “the United States of America in Congress assembled,” as it is found on the journal at this day. It had not then the sanction of New York, whose delegates were without authority to vote on the question, and it could not then be called a unanimous Declaration of the thirteen States. When it received the sanction of New York, and not till then, it was “ the unanimous Declaration.” This was well understood in the Congress, and is mentioned in a letter from Mr. Gerry to General Warren, dated Philadelphia, July 5, 1776, in which he says :—

New York will, most probably, on Monday next, when its Convention meets for forming a Constitution, join in the measure, and then it will be entitled “ the unanimous Declaration of the thirteen United States of America.”

New York did join in the measure in a few days. In



the meanwhile the "Declaration by the Representatives" was, as ordered by Congress, authenticated. This was the form of the authentication:—"Signed by order and in behalf of the Congress. John Hancock, President. Attest: Charles Thomson, Secretary." It bore no other signatures. It was not signed by the members. It was signed by John Hancock, by their order and in their behalf.

On the 9th of July, when the New York Convention met, they unanimously approved the Declaration, and pledged their lives and fortunes to unite with the other Colonies in supporting it. Unanimity was thus and by these means "attained." The New York resolutions were laid before the Continental Congress on the 15th of July.

On the 19th of July Congress passed the following resolution:—

*Resolved*,—That the Declaration passed on the 4th be fairly engrossed on parchment, with the title and style of "The unanimous Declaration of the Thirteen United States of America;" and that the same, when engrossed, be signed by every member of the Congress.

This was the first order for signing the Declaration of Independence. The order on the 4th was, that it be authenticated and printed; and even now the order was not that it be signed by the members present on the 4th of July or on any other day; it was to be "signed by every member of the Congress."

On the 2nd of August the Journal says:—"The Declaration of Independence, being engrossed and compared at the table, was signed by the members." It was then signed by the members present on that day, including, of course, the new members who had taken their seats since the 4th of July. But such of the old

members as had left the Congress before the 2nd of August, and did not return before the end of the year, could not sign it.

This will explain why Mr. Dickinson's name is not found among the signers of the Declaration. He was not in Congress on the 2nd of August, 1776, when it received its first signatures, nor afterwards in that year. But, because his name is not there, it is by no means to be inferred that he was in the slightest degree disaffected to the cause. John Dickinson, like Robert Morris, opposed independence on the ground that at that time such a measure was premature. On this ground they both opposed the resolution in debate, and voted against it when the question was taken on the 2nd of July; but both, when the decision was made, acquiesced in the measure, and gave it their earnest, firm, and cordial support. Before the middle of July Mr. Dickinson marched with the regiment he commanded to Elizabethtown, in New Jersey, where he remained until they were discharged in the following September. In the mean time a new delegation was chosen by the Pennsylvania Convention, in which Mr. Morris was retained, but Mr. Dickinson was not re-chosen. On the 2nd of August, therefore, Robert Morris was in the Congress, and signed the Declaration; but John Dickinson, who was then not a member, could not sign it.

There was another member of Congress who was opposed to independence—Mr. John Alsop, of New York. But he appears to have been actually opposed to independence, not at that time only, but at any time.

On the 15th of July, when the resolutions of the New York Convention of the 9th, approving the Declaration, were read in Congress, Mr. Alsop was highly

offended. The next day he addressed a letter to the Convention, expressing his dissatisfaction at the course which had been pursued. In this letter he says:—

I am compelled, therefore, to declare that it is against my judgment and inclination. As long as a door was left open for a reconciliation with Great Britain upon honourable and just terms, I was willing and ready to render my country all the service in my power, and for which purpose I was appointed and sent to this Congress; but as you have, I presume, by that Declaration closed the door of reconciliation, I must beg leave to resign my seat as a delegate from New York, and that I may be favoured with an answer and my dismission.

On the 22nd of July the Convention—

*Resolved unanimously*, That the Convention do cheerfully accept of Mr. Alsop's resignation of his seat in the Continental Congress, and that Mr. Alsop be furnished with a copy of this resolution.

Of course Mr. Alsop, though one of the members present on the 4th of July, did not sign the Declaration.

The Declaration was not “signed by every member “present” on the 4th of July “except only Mr. Dickinson.”

Thomas M'Kean, of Delaware, was present in the Congress of the 2nd of July, and voted for the Resolution of Independence, yet his name was not subscribed to the Declaration in 1776. Like John Dickinson, he commanded a regiment, and early in July marched to the Jerseys. When discharged from his military duties he attended the Convention of Delaware, which met on the 27th of August to form a State Constitution, and was dissolved on the 21st of September, 1776, after which he resumed his seat in

Congress. On the 8th of November, when the Delegates to Congress from Delaware were chosen by the Assembly of that State, Mr. M'Kean was not re-elected; nor was he again appointed a Delegate until the 17th of December, 1777.

On the 2nd of July five delegates from New York were present in Congress, namely, George Clinton, Henry Wisner, William Floyd, Francis Lewis, and John Alsop, as appears by a letter of that date to the Provincial Congress, asking for instructions on the question of independence. Neither Philip Livingston nor Lewis Morris were present on that day. Yet their names are found on the Declaration of the 4th, while those of Clinton and Wisner and Alsop are not found there.

As the New York delegates had no authority to vote on the question of independence on the 4th of July, they were not authorized to sign the Declaration on that day. On the 15th, however, when the new instructions were received, they had full authority to do so; and on the 2nd of August such of the delegation as were in the Congress subscribed their names, to wit, William Floyd, Francis Lewis, and Philip Livingston, the latter of whom took his seat in the Congress on the 5th or 6th of July; having, on his representing to the Provincial Congress, on the 26th of June, that his attendance at the Continental Congress was necessary, received permission to leave the Convention after the 29th.

Lewis Morris probably signed in September. On the 26th of August and on the 3rd of December he was in his seat in the New York Convention. In September and October he was in the Continental Congress.

Of those who were present on the 4th of July, and who did not sign the Declaration, it is sufficient to say, that when the New York delegates received authority to sign it, and before the order for the signing of it by the members, George Clinton, like John Dickinson, had joined the army, and was in command in the Highlands; and Henry Wisner and Robert R. Livingston were in their seats in the New York Convention. John Alsop, as already stated, resigned.

Samuel Chase and Charles Carroll were neither of them in Congress on the 4th of July; both were on that day in the Maryland Convention, then in session at Annapolis. They were in Congress by the middle of the month, and signed with the other members on the 2nd of August, as directed by the resolution of the 19th of July.

And it was under this order of the 19th of July, "that the Declaration be signed by every member of "the Congress," that Mr. Thornton subscribed his name as late as November.

The signing by the members was discontinued at the close of the year 1776. On the 18th of January, 1777, the Congress—

*Ordered*, That an authenticated copy of the Declaration of Independence, with the names of the members of the Congress signing the same, be sent to each of the United States, and that they be desired to have the same put on record.

In compliance with this order, it was printed, with the names of the subscribing members, and, authenticated by the autograph signatures of John Hancock, President, and Charles Thomson, Secretary, was sent to the several States for record. One signature only, that of Thomas M'Kean, was afterwards added to the Declaration of Independence.



So much for Lord Mahon's "History" of the Declaration of Independence. If he has not "vindicated" "the honour" of England, he has endeavoured with a persevering earnestness of purpose, to disparage and throw discredit on the principles and the men of "the opposite cause." In his efforts to accomplish this (which with him appears to be a labour of love), his pen was guided not by the honest historian, but by the less scrupulous partisan, with whom the truth of history is at best but a secondary consideration. What excuse can be offered for him? While a few of his variations from the truth may be attributed to an imperfect knowledge of the American side of the question, there are others for which no such excuse—nor any excuse—can be admitted. It might be considered great discourtesy to say that some of these variations are wilful, and intentional, and studied; and yet it is difficult for the ingenuity of courtesy to find for them milder and at the same time strictly appropriate epithets.

P. F.

*Washington, January 1, 1855.*













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